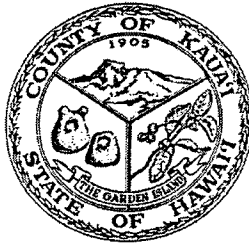


**COUNTY COUNCIL**

Jay Furfaro, Chair  
Mason K. Chock, Sr., Vice Chair  
Tim Bynum  
Gary L. Hooser  
Ross Kagawa  
Mel Rapozo  
JoAnn A. Yukimura

**OFFICE OF THE COUNTY CLERK**

Ricky Watanabe, County Clerk  
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188  
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**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

August 14, 2014

**TO:** Bernard P. Carvalho, Jr., Mayor  
**FROM:** Jay Furfaro, Council Chair  
**RE:** **AUGUST 13, 2014 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its August 13, 2014 Council Meeting:

**CONSENT CALENDAR:**

C 2014-216 Communication (07/07/2014) from the Director of Planning, transmitting the Planning Commission's recommendation to amend Chapter 8, Article 17, Kaua'i County Code 1987, as amended, relating to the Comprehensive Zoning Ordinance, to increase the fee charged by the Planning Department from \$500 to \$750 for non-conforming use certificate fees charged as a part of the County's Transient Vacation Rental (TVR) program. *(Copies of the Planning Department Director's Report and the Minutes of the May 27, 2014 Planning Commission Meeting on file in the County Clerk's Office.) (Received for the Record.)*

C 2014-217 Communication (07/08/2014) from the Director of Finance, transmitting for Council information, the Period 11 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of May 31, 2014, pursuant to Section 21 of Ordinance No. B-2013-753, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2013-2014. *(Copies of the Period 11 Financial Reports as of May 31, 2014 on file in the County Clerk's Office.) (Received for the Record.)*

C 2014-218 Communication (07/16/2014) from the Director of Finance, transmitting for Council information, the Period 12 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of June 30, 2014, pursuant to Section 21 of Ordinance No. B-2013-753, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2013-2014. *(Copies of the Period 12 Financial Reports as of June 30, 2014 on file in the County Clerk's Office.) (Received for the Record.)*

C 2014-219 Communication (07/18/2014) from the County Engineer, transmitting for Council consideration, proposed amendments to Section 21 of the Kaua'i County Code 1987, as amended, Relating To Integrated Solid Waste Management To Establish Variable Rates For The Collection Of Residential And Commercial Refuse, to establish variable rates for refuse collection service, also known as the "Pay As You Throw (PAYT)" system, as recommended in the Kaua'i County PAYT Implementation Plan prepared by Econservation Institute through a grant from the Environmental Protection Agency (EPA), which addresses Phase 1 of the plan. *(Received for the Record.)*

COMMUNICATIONS:

C 2014-220 Communication (07/18/2014) from Councilmember Hooser, requesting the presence of the Acting Manager and Chief Engineer from the Department of Water, to provide the Council with an update on the Department's upcoming initiatives as it relates to the Water Plan 2020, upcoming budgetary needs, other financial obligations as a semiautonomous entity of the County of Kaua'i, the status of the Kahili Horizontal Directionally Drilled Well project, and the quarterly reports on the financial status and activities of management and operations as required by the Charter of the County of Kaua'i. *(Received for the Record.)*

C 2014-221 Communication (07/07/2014) from the Chief of Police, requesting Council approval to accept and utilize a vehicle acquired from the Asset Forfeiture Program for law enforcement purposes, replacing a vehicle that was previously disposed, a black 2001 Nissan Xterra SUV, VIN No. 5N1ED28TX1C525387, that was assigned to the Vice Section. *(Approved.)*

C 2014-222 Communication (07/10/2014) from the Executive on Transportation, requesting Council approval to receive, indemnify, and expend Federal Transit Administration (FTA) Section 5304 Statewide Planning Funds, in the amount of \$200,000, to support the Transportation Agency's completion of a Short Range Transit Plan for the County of Kaua'i. *(Approved.)*

C-2014-223 Communication (07/10/2014) from the County Engineer, requesting Council approval for the Department of Public Works Automotive Division to purchase two (2) 120-gallon 10-hp 3 phase compressors, at a cost of \$15,000 each (total \$30,000), to replace two (2) old 120-gallon 10-hp 3 phase compressors. *(Approved.)*

C 2014-224 Communication (07/16/2014) from the First Deputy County Attorney, transmitting for Council information the Quarterly Report on Settled Claims Against the County of Kaua'i from April 1, 2014 through June 30, 2014. *(Received for the Record.)*

C 2014-225 Communication (07/25/2014) from the County Attorney, requesting authorization to expend additional funds up to \$50,000 for Special Counsel's continued services provided in Syngenta Seeds, Inc., a Delaware corporation, et al. vs. County of Kaua'i, Civil No. CV14-00014 BMK (U.S. District Court), and related matters. *(Approved.)*

C 2014-226 Communication (07/25/2014) from the County Attorney, requesting authorization to expend additional funds up to \$50,000 for Special Counsel's continued services provided in Eric Y. Shibuya vs. County of Kaua'i, et al., Civil No. 13-1-0345 (Fifth Circuit Court), and related matters. *(Approved.)*

C 2014-227 Communication (07/25/2014) from the County Attorney, requesting authorization to expend additional funds up to \$30,000 for Special Counsel's continued services to represent Henry Barriga and Sherwin Perez in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. CV13-00202 DKW-BMK (U.S. District Court), and related matters. (*Approved.*)

**COMMITTEE REPORT: APPROVED.**

**BILLS FOR FIRST READING:**

Proposed Draft Bill (No. 2540) – A BILL FOR AN ORDINANCE AMENDING ARTICLE 17, CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO NONCONFORMING USE CERTIFICATES FOR SINGLE FAMILY VACATION RENTALS (*Approved on 1<sup>st</sup> reading, Public Hearing scheduled for 09/10/2014, and referred to the Planning Committee.*)

Proposed Draft Bill (No. 2551) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 21, SECTIONS 21-1.3 AND 21-9.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT TO ESTABLISH VARIABLE RATES FOR THE COLLECTION OF RESIDENTIAL AND COMMERCIAL REFUSE (PAY AS YOU THROW) (*Deferred.*)

**BILL FOR SECOND READING:**

Bill No. 2547 – A BILL FOR AN ORDINANCE TO AMEND SECTION 2, ORDINANCE NO. 891 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS AND REFUNDING CERTAIN BONDS OF THE COUNTY; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC (*Approved.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)  
KCT CCs (*Via E-mail*)  
Council Services Staff (*Via E-mail*)